

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

SEVERIANO LUGO ACOSTA
ANA REYES CAMACHO
DEBTOR(S)

*
*
*
*

CASE NO. 09-10354-MCF
CHAPTER 13

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN, 11 USC SECTION 1329

TO THE HONORABLE COURT:

NOW COME, SEVERIANO LUGO ACOSTA and ANA REYES CAMACHO, through the undersigned attorney, and very respectfully state and pray as follow:

1. The debtors are hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated October 18, 2011, herewith and attached to this motion.

2. This Post-confirmation Modification of Chapter 13 Plan is filed to participate in the Home Affordable Modification Program and to provide for the payment made by the Trustee to Banco Popular de PR.

NOTICE

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtors, Severiano Lugo Acosta and Ana Reyes Camacho; and to all creditors and parties in interest, in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 18th day of October, 2011.

/s/ Roberto Figueroa Carrasquillo

ROBERTO FIGUEROA-CARRASQUILLO

USDC #203614

ATTORNEY FOR PETITIONERS

PO BOX 193677

SAN JUAN PR 00919-3677

TEL NO (787) 744-7699 FAX 746-5294

EMAIL: rfigueroa@rfclaw.com

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 09-10354-13

LUGO ACOSTA, SEVERIANO & REYES CAMACHO, ANA

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 10/18/2011 <input type="checkbox"/> AMENDED PLAN DATED: _____ <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ <u>240.00</u> x <u>15</u> = \$ <u>3,600.00</u> \$ <u>0.00</u> x <u>2</u> = \$ <u>0.00</u> \$ <u>360.00</u> x <u>43</u> = \$ <u>15,480.00</u> \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ TOTAL: \$ <u>19,080.00</u> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ <u>19,080.00</u> III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,874.00</u> Signed: <u>/s/ SEVERIANO LUGO ACOSTA</u> Debtor <u>/s/ ANA REYES CAMACHO</u> Joint Debtor	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. BANCO POPULAR D Cr. SCOTIABANK DE PL Cr. SCOTIABANK DE PL # <u>1378751</u> # <u>1433626</u> # <u>Post-Petition arrears</u> \$ <u>1,436.44</u> \$ <u>2,579.99</u> \$ <u>450.00</u> 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. CRIM Cr. _____ Cr. _____ # <u>4117</u> # _____ # _____ \$ <u>336.58</u> \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: BANCO POPULAR D SCOTIABANK DE PL C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) *The Debtors consent to the modification of the automatic stay in favor of Banco Popular de PR for Loss Mitigation purposes only. DEBTOR(S) will pay GENERAL UNSECURED in full (100% + 6% interest per annum), under Chapter 13 Plan. *Or as otherwise specified on proof of claim. Late filed claims filed by creditors will receive no distribution. "Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank. Debtor reserves the right to object claims after plan confirmation.

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699

LUGO ACOSTA, SEVERIANO
PO BOX 5015
CAGUAS, PR 00726

VELMA E DIAZ CARRASQUILLO ESQ
PO BOX 361508
SAN JUAN, PR 00936-1508

REYES CAMACHO, ANA
PO BOX 5015
CAGUAS, PR 00726

R. Figueroa Carrasquillo
Law Office
PO Box 193677
San Juan, PR 00919-3677

ASOCIACION EMPLEADOS ELA
PO BOX 364508
SAN JUAN, PR 00936-4508

BANCO POPULAR DE PR
PO BOX 70100
SAN JUAN, PR 00936-8100

CITIFINANCIAL PLUS
PO BOX 499
HANOVER, MD 21076

CLARO
PO BOX 70366
SAN JUAN, PR 00936-8366

CRIM
ASESORAMIENTO LEGAL
PO BOX 195387
SAN JUAN, PR 00919-5387

PR TELEPHONE COMPANY
PO BOX 71401
SAN JUAN, PR 00936-8501

SCOTIABANK DE PUERTO RICO
17 MEXICO STREET SUITE D-1
SAN JUAN, PR 00917-2202